

REMARKS

Claim Rejections - 35 USC § 103

Claims 1-4, 6-9, 11-14, and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean et al. (US Application No. 2002/0152244; hereafter “Dean”) in view of Iwata et al. (US Application No. 2003/0056222; hereafter “Iwata”).

Claims 5, 10, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dean in view of Iwata and Rasmussen et al. (US Application No. 2003/0079234; hereafter “Rasmussen”).

Regarding claim 1

The Examiner cites Dean as allegedly disclosing all of the features of the independent claim 1 with the exception of “a storing unit which stores the multimedia content with the index information”. Applicant respectfully submits that the claimed invention would not have been rendered obvious in view of the applied references, alone or in combination.

Claim 1 recites, in part, “an input unit which receives index information from a user for configuring indexes of multimedia content”. The Examiner asserts that paragraphs [0173], [0176], [0032], and [0232] of Dean correspond to this feature of claim 1. Dean, however, is directed to generating a GUI 702 using GUI widgets from user input (paragraph [0173]). The purpose of the GUI 800 in FIG. 8 of Dean, is to show a GUI that enables the creation/modification of multimedia content. The GUI includes a previously designed set of document fragments for the user to combine into a whole product (paragraph [0159], lines 9-11). The document fragments when combined, form a new fragment detailing a product (paragraph [0159], lines 9-11). The output of the combination process as shown in FIG. 8 and FIG. 9 is an XML document that represents the complete document filled in with the content from the GUI

widgets (see paragraph [0178]). As a result, Dean does not teach or suggest, “an input unit which receives index information from a user for configuring indexes of multimedia content”.

Claim 1 further recites, “a control unit which produces index information for the multimedia content”. The Examiner asserts that Dean disclose this feature in paragraph [0212]:

Within the present invention, Trigger Monitor manages different types of files differently based on their extensions. Servables, simple, compound, and index fragments, stylesheets and multimedia assets are all treated slightly differently in the publishing flow.

and in the Abstract:

The method parses the elements which are subsequently mapped to one or more interface controls such .. content objects.
The “Trigger Monitor” of Dean, however, is built upon the fragment dependency store 716 which is designed to *manage* high numbers of rapidly changing *content fragments* (paragraph [0203], lines 4-6). The “Trigger Monitor” specifically allows the *loading* of *specialized handlers* to perform tasks specific to a particular application (paragraph [0203], lines 9-11). Furthermore, the “Trigger Monitor” system automatically *propagates fragment changes* to all affected fragments and servables, and *allows for multi-stage publishing* to accommodate quality assurance (paragraph [0204], lines 1-5). Finally, the “Trigger Monitor” *manages* different files (paragraph [0212], lines 1-2), but does not suggest or disclose “*a control unit which produces index information for the multimedia content*”.

The Examiner acknowledges that Dean does not disclose the “control unit” and “content having the indexes configured according to the received index configuration and a storing unit which stores the multimedia content with the index information,” but asserts that Iwata allegedly discloses these claimed features.

The Examiner cites a control unit 102 in paragraph [0066] of Iwata as corresponding to the control unit in the claimed invention. The control unit 102 of Iwata, however, *receives* the *screen control information* from the transmission/reception unit 101 and *outputs* a generated screen to the display unit (paragraph [0071], lines 1-5). Thus, the control unit 102 of Iwata does not suggest or disclose “produc[ing] index information for the multimedia content.”

Therefore, Iwata does not compensate for the deficiencies of Dean, and thus, Iwata and Dean, alone or in combination, do not teach or suggest all of the features of claim 1. Applicant respectfully requests that the Examiner withdraw the rejection of independent claim 1, and claims 2-10 *at least* by virtue of their dependency.

Regarding claim 3

Claim 3 recites, “physical button”. The Examiner maintains that this feature is allegedly disclosed by Dean. This element, however, is missing from both Dean and Iwata. Dean shows a “button” which is integrated into the software (see paragraph [0165]) but does not disclose a “*physical* button”. Thus, Dean and Iwata, alone or in combination, do not teach or suggest a “*physical* button” as recited in claim 3.

Regarding claim 4

Claim 4 recites, in part:

wherein the control unit is configured to group predetermined multimedia content into a single multimedia group, for the multimedia content with the configured indexes

The Examiner maintains that the feature, “group predetermined multimedia content” is allegedly disclosed by paragraph [0192] of Dean which discloses:

The system-generated ... content or are necessary for maintaining the functional and semantic role of the fragments. These tags can be further **grouped into** two parts: 1) the tags which are used for describing the XML object, such as

keywords, **categories** and publishing information; and 2) the tags which hold the content of the XML object, such as TITLE and SUMMARY.
and paragraph [0159] of Dean which discloses:

Turning to FIG. 8, shown is a GUI 800 to enable the creation/modification of **multimedia content**.

Dean, however, discloses that *non-system generated tags* can be further grouped into two parts wherein the tags are used for describing the XML objects. Dean does not disclose or suggest, “the control unit is configured to group predetermined multimedia content into a single multimedia group, for the multimedia content with the configured indexes”.

Furthermore, the Examiner asserts that paragraph [0130] of Iwata discloses the claimed feature, “control unit is configured” and “into a single multimedia group, for the multimedia content with the configured indexes”. More particularly, the Examiner cites the following individual elements of Paragraph [0130] of Iwata as allegedly disclosing the claimed invention: “**the screen size**”, “**a multimedia content**”, “**content data**”. Iwata, however, does not disclose or suggest the features “control unit is configured” and “into a single multimedia group, for the multimedia content with the configured indexes”, as required by claim 4.

Furthermore, there is no motivation or suggestion for the Examiner’s proposed combination of references. Applicant respectfully submits that one of ordinary skill in the art at the time of the presently-claimed invention would not have been motivated to combine Dean and Iwata as suggested by the Examiner because there is no motivation for doing so in the references themselves or the knowledge available to one of ordinary skill in the art without resorting to impermissible hindsight. Dean teaches “tags” which can be further *grouped into two parts* (paragraph [0192]). Alternately, Iwata teaches “a multimedia content in which video data and audio data are multiplexed”(paragraph [0130]). The Examiner proposes that it would have been

obvious to one of ordinary skill in the art “to incorporate the teaches of Iwata into the device of Dean use a control unit indexing feature with multimedia content to provide an organizational improvement.” However, the method of Iwata teaches video and audio data multiplexed into a multimedia content while Dean teaches two distinct parts. Therefore, the combination of the two references would be counter to each teaching. Because of the disparity between these two references, the only possible motivation for the Examiner’s proposed combination is Applicant’s own disclosure, the reliance on which constitutes impermissible hindsight reconstruction under MPEP §2143 (see also *In re Vaeck*, 20 USPQ 1438 (Fed. Cir. 1991)).

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 4.

Regarding claim 6

Claim 6 recites, in part:

wherein the control unit is configured to create tag information for the multimedia content with the configured indexes.

The Examiner asserts that Dean in paragraph [0191], (“The metastore 712 is used to maintain information about the functional and semantic role of each fragment. The meta-information stored in the metastore 712 is grouped into system-generated tags and non-system generated tags....”) and paragraph [0032], (“FIG. 8, shown is a GUI to enable the creation/modification of multimedia content, according to the present invention”) discloses all features of claim 6. Dean, however, discloses that the values of the system-generated tags are generated by *the dispatcher* and values of the non-system generated tags are specified by *the content creator*; but does not disclose, “the control unit is configured to create tag information for the multimedia content with the configured indexes”.

Regarding claim 7

Claim 7 recites, in part:

wherein the control unit is configured to create metadata files for the grouped multimedia content for the multimedia content with the configured indexes. The Examiner asserts that paragraph [0232], ("...2 Function... creates the metadata database(s) 712 and database tables. Input - Input is a database management tool and the results of step 1010. This includes the type of meta tags to be included in the tables within the metadata database 712. Output - The metadata database 712 is initialized and made operational..." and paragraph [0205], "...Users may create their own classes to accomplish localized goals, and specify those classes in the configuration file..." of Dean discloses all features of claim 7. Dean, however, does not disclose or suggest the feature, "grouped multimedia content for the multimedia content with the configured indexes".

Iwata does not compensate for the deficiencies of Dean, and thus, Dean and Iwata, alone or in combination, do not teach or suggest all of the features of claim 7. Accordingly, Applicant requests that the Examiner withdraw the rejection of claim 7.

Regarding claim 8

Claim 8 recites, in part:

wherein the metadata file comprises at least an index name for a group, and a start or end number of multimedia content contained in the group, wherein the multimedia belongs to the group. The Examiner cites paragraph [0098], paragraph [0192], and paragraph [0232] of Dean as disclosing all elements of claim 8. Dean, however, does not disclose "a start or end number of multimedia content contained in the group".

Regarding claim 11

The Examiner cites Dean as allegedly disclosing all of the features of the independent claim 11 with the exception of “creating index information for the selected multimedia content”. After carefully reviewing Dean, Applicant submits that claim 11 would not have been rendered obvious in view of the applied reference.

Claim 11 recites, in part, “selecting multimedia content for which indexes are to be configured”. The Examiner asserts that paragraph [0173], paragraph [0176], paragraph [0032], and paragraph [0232] corresponds to the above mentioned claim 1 feature. Dean, however, is directed to generating a GUI 702 using GUI widgets from user input (paragraph [0173]). The purpose of the GUI 800 in FIG. 8 of Dean, is to display a GUI that enables the creation/modification of multimedia content. The GUI includes a previously designed set of document fragments for the user to combine into a whole product (paragraph [0159], lines 9-11). The document fragments when combined, form a new fragment detailing a product (paragraph [0159], lines 9-11). The output of the combination process as shown in FIG. 8 and FIG. 9 is an XML document that represents the complete document filled in with the content from the GUI widgets (see paragraph [0178]). As a result, Dean does not teach or suggest, “selecting multimedia content for which indexes are to be configured”.

The Examiner acknowledges that Dean does not disclose “creating index information for the selected multimedia content,” but asserts that Iwata allegedly discloses these claimed features.

The Examiner cites paragraph [0130] of Iwata as disclosing, “creating index information for the selected multimedia content”. Paragraph [0130] of Iwata, however, discloses a content storage unit 601 which is a hard disk unit. Iwata, does not disclose “creating index information for the selected multimedia content”.

Therefore, Iwata does not compensate for the deficiencies of Dean, and thus, Iwata and Dean, alone or in combination, do not teach or suggest all of the features of claim 11. Applicant requests that the Examiner withdraw the rejection of independent claim 11, and claims 12-20 *at least* by virtue of their dependency.

Regarding claim 14

For analogous reasons as those relating to the patentability of claim 4, claim 14 should also be patentable over the prior art.

Regarding claim 16

For analogous reasons as those relating to the patentability of claim 6, claim 16 should also be patentable over the prior art.

Regarding claim 18

For analogous reasons as those relating to the patentability of claim 8, claim 18 should also be patentable over the prior art.

Regarding claim 5

Claim 5 recites, in part, “configured to manage the multimedia content under different folders”. The Examiner asserts that Rasmussen discloses the claimed feature citing paragraph [0038], (“Hereby it is possible to operate and control the execution of multimedia content and thereby indirectly the display...”) and paragraph [0230], (“Preferably the method also comprises communication to the control unit of current information/data, such as e.g. options, status, current multimedia execution, files, folders, etc, for presentation on a display or for further/internal use in the control unit”). Rasmussen, however, does not disclose or suggest the claimed elements “different folders”.

Therefore, Rasmussen does not compensate for the deficiencies of Dean and Iwata, and thus, Rasmussen, Iwata, and Dean, alone or in combination, do not teach or suggest all of the features of claim 5. Applicant thus requests that the Examiner withdraw the rejection of claim 5.

Regarding claim 10

Claim 10 recites, in part, “under folders, based on the index information”. The Examiner asserts that paragraph [0230] of Rasmussen discloses the claimed feature, “under folders, based on the index information.” Rasmussen, however, discloses “folders” but does not disclose or suggest that the folders are based on the index information.

Therefore, Rasmussen does not compensate for the deficiencies of Dean and Iwata, and thus, Rasmussen, Iwata, and Dean, alone or in combination, do not teach or suggest all of the features of claim 10. Applicant thus requests that the Examiner withdraw the rejection of claim 10.

Regarding claim 15

For analogous reasons as those relating to the patentability of claim 5, claim 5 should also be patentable over the prior art.

Regarding claim 20

For analogous reasons as those relating to the patentability of claim 10, claim 10 should also be patentable over the prior art.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

**RESPONSE TO NOTICE OF NON-COMPLIANT
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Respectfully submitted,



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